

# Restivo-Alessi Declaration

## Exhibit 9

# OPEN LIBRARIES: PRESENTATION FOR LIBRARY LEADERS FORUM

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Wendy Hanamura

DIRECTOR OF PARTNERSHIPS at INTERNET ARCHIVE

**I'm Wendy Hanamura. What if I could wave a wand over your collections--and turn a large portion of it digital?**

Delaware County, OH Library

**That's what we did for George Needham's collection in Delaware County Ohio. Turns out we had 47,612 digital versions of his physical books.**

St. Mary's County, MD Library

**Or how about Michael Blackwell's St. Mary's County Library in Maryland? 30,490 digital versions of his hardcopies were just added to his collection. That's 34% of his 89,000 ISBN books.**

Smithsonian Libraries

**And when our friend, Martin Kalfatovic asked us to see which of his 296,000 books we could turn e-. It turns out we had 32,561 of them. (That's only 11%. But what if we digitized 4 M more--the missing century of books**

Bar graph showing gap of digital ebook collection

**Meanwhile, libraries--including us--have not been able to keep up with this digital demand. Take a look at our eBook collection, listed by decade of publication. Libraries are doing well with books up to 1923 in the public domain. And after about 2000, with books that were born-digital. But in the decades between, there's a huge gap. Ebook restrictions, copyright limitations, and a lack of resources have led to almost a century of missing ebooks.**

Bar graph showing book availability at Amazon by decade

**And it's not just libraries. Even Amazon reflects this chasm between 1923 and the eBooks era. How do we discover the out-of-print books. Orphan works. The important books that are missing online today?**

Free digital access to 4 million books

**We have the opportunity to fill in that gap of knowledge. To provide both libraries and learners with free digital access to 4 million books. The books most useful to students. From communities and cultures that have gone largely unheard.**

One physical book and One digital copy

**But here's why I think this a game changer. We're not proposing creating just one digital library in this country. We want to make every library in the US a digital library. If you have the physical book, we will give you the digital version.**

Picture of Red-Hook Library

**And if you are a small library--like this one in Red Hook, NY without engineers on staff? We will build a circulation platform that integrates with your system and lends the ebook for you.**

Physical distance is a barrier to access

**Why? Because for many communities--ebooks have been a gamechanger. Something magical happens when you digitize a book. It unlocks it for communities with virtually no access to those texts. Because of distance, time-constraints, costs or disabilities, people in marginalized populations are too often denied access to physical books. Digitizing content bridges that divide.**

Reader Privacy

**There's another reason we think libraries are so important. Librarians take the privacy of their patrons very seriously. Librarians will always protect people's ability to browse and read freely ---without fear of being identified. By establishing this core principle we differentiate ourselves from for-profit companies that want to sell your personal information. We can build this project upon the values and morals of our profession.**

Slide with quote

**"We can democratize the stream of eBooks to include not just what's popular, but what's important"**

**John Szabo**

**CITY LIBRARIAN,**

**LA PUBLIC LIBRARY**

**As John Szabo who is City Librarian of LA told us, "We can democratize the stream of eBooks to include not just what's popular, but what's important."**

Long-term, public access to knowledge

**We have the opportunity to spark a new Carnegie moment---in which all libraries across North America become stewards of digital knowledge. The prize here is free, long-term, public access to knowledge. Next, I'm going to turn it over to our Director of Engineering, John Gonzalez.**

**John C. Gonzalez**

DIRECTOR OF ENGINEERING & SERVICE AVAILABILITY INTERNET ARCHIVE

**Thanks Wendy.**

**I'm going to highlight some of our technology innovations and where we see the big opportunities moving forward.**

Today: 250,000 books/year in 28 Scanning Centers

**One of the first questions we face: How to scale from where we are today-- digitizing a quarter million books per year in 28 scanning centers... to digitizing a million books per year? One solution: centralize scanning for efficiency. Our approach is to do this in a super scanning center.**

Super Scanning Center: Reduce Costs by 50%

**So we built one of those. And we've started filling it with our Table Top Scribes.**

**We have been developing this new scanning machine, hardware and software for four years**

**Our goal has been to optimize speed and quality in our book scanning.**

**With these innovations we have already reduced scanning costs by 50%.**

20 years of improvement

**For 20 years, we've been configuring, operating, and improving our own server racks for long-term preservation.**

**This allows us to store and access data at a fraction of commercial costs.**

Improving scanned texts

**with the help of readers**

**Our scanning process may not be perfect... and when it isn't, we want ways to capture reader corrections, so that the digital versions will get better and better.**

Support for citations and annotations

And we want scholars and students to be able to cite and annotate their reading...

AND to keep and share those citations.

Creating a delightful reading experience across devices

Ultimately, we want patrons to have a delightful reading experience, on their device of choice: phone, tablet, kindle, or computer.

The beautiful thing is: Because these books are digital, we can deliver services in ways not possible with physical books.

Years ago, we started with 1M modern works in DAISY formats for the print disabled. We've built a bookreader that reads books aloud.

Improving accessibility

But we can do better.

We're going to work with accessibility leaders including Benetech, LOC National Library Service, National Foundation of the Blind, Learning Ally, and Lighthouse for the Blind to improve our accessibility, and allow anyone with a certifiable print disability to access our millions of books.

Part of what we will be exploring during this conference is HOW to do that at scale while preserving reader privacy.

Building Interoperable systems

With technology partners

The big goal is to make all of this interoperable with existing library systems...

And to work with partners, so we won't reinvent the wheel.

Now I'm going to turn it to Jim Michalko to talk about why we think this can work.

**Jim Michalko**

SR. STRATEGIST, INTERNET ARCHIVE

Focus on format shifting and circulation control

Wendy described the motivation and benefits of a digitize and lend service and John described some of the technology. I'm going to suggest some of the ways a service might work but first an important nod to the legal foundation for this type of service as I'm sure a lot of you are wondering how this can work legally. You'll hear a lot more about that in the next panel. But in a nutshell: the Internet Archive's contribution focuses on format shifting and circulation control. This ensures that a library will not have to repurchase the

same content repeatedly simply because of a change in format, and that the author is not damaged by the proliferation of additional unauthorized copies to the market.

#### One to One copies

From the perspective of copyright holders, there is assurance that unauthorized copies are not replacing sales. IA's Open Library model builds in circulation control, such that no more copies can circulate than have been acquired legitimately. For example, if a library purchases 2 copies of 1984 and wants to replace one with an e-copy,

#### Screen Image of Online Digital Copy

IA will provide the e-copy but will restrict its use to one of this library's patrons at a time. The library would simultaneously allow only one of its print copies to circulate. Therefore, both before and after the conversion, only two copies of 1984 could be accessed by the library's users at any given time.

#### Full and fair use

In the words of Michelle Wu, Professor of Law: The Internet Archive's proposal does not deprive authors or publishers of payment, but simply contemplates full and fair use of each work purchased.

#### Photo showing books in storage, and involved in inter-library loan

Offsite storage: \$20

Interlibrary loan: \$35

2012 Total: : \$300 million

There are lots of benefits including the way this kind of lending can overcome physical barriers to access - time, distance, and physical handicaps. From an institutional perspective there are real dollars and cents reasons for libraries to adopt this model. For instance, the Harvard library spends \$20 every time it has to retrieve a book for a professor from the off-site repository. It's pays \$35 for every Interlibrary loan. In 2012, an IMLS survey revealed libraries spent more than \$300 million on Interlibrary loans.

#### Photo showing those same books as eBooks.

Offsite storage: \$20

Interlibrary loan: \$35

eBook: \$0

If you turn those into eBooks, the resources spent shipping physical books could be largely eliminated, and the money could be re-directed to digitizing new texts or to other priority library needs..

#### One Time Investment: Digitizing A Century of Knowledge

Of course, we had hoped that we would have a patron who made this large one-time investment. We now know it's not going to happen that way so part

of what we will be discussing over the next two days is what's the best alternative approach to implement a service that delivers immediate benefit on a trajectory that continues to grow towards the ultimate vision we've been proselytizing.

#### Cost recovery that fits libraries

While maintaining absolutely free access to books for patrons

Even with that one-time investment we knew that continuing operations of a digitize and lend service would need to actively build in the necessary cost recovery flows to be sustainable long-term. We will be talking during our working sessions about the possible cost recovery models that fit into current library practice and budgeting while maintaining absolutely free access to books for patrons.

#### Why do we think this will work?

Screen shot of Open Library web site.

Well, we've been piloting a model for collaborative collection building, digitizing and lending for six years now, through our site, Open Library. With 500 partners, we have bought or digitized 2.5 million public domain volumes and more than 500,000 copyrighted books.

Legal counsel in many organizations have signed off on this form of lending. Journals have published articles supporting this digitize and lend model.

Screen shot of book in Internet Archive online book reader

And other libraries like Boston Public have used the IA portal to lend digital versions of their collections.

Boston Public Library card holders can borrow the book and read it in the browser. Or download a PDF or ePub version, conveniently from home. After two weeks, the book or PDF is automatically returned.

Screen shot showing a user joining a waiting list for a book.

Our program mirrors traditional library practices: one reader at a time can borrow a book, and others must wait for that book to be returned.

Screen shot of online book at the Mechanics Institute Library

Using IA as a portal is just one way a service could work. We know that isn't likely to be optimal for all libraries. Many would like the digital edition to be mobilized inside their own discovery system with a link to borrow the digital edition. Other libraries will want integration of these texts with their current ebook lending solution. During this forum we're going to talk about the different ways a service could be manifested and think about what mechanisms get us to a useful solution for the most libraries in the quickest time.

Screen shot of logos of prominent libraries

Logos of Boston Public, Georgetown Law, Califa, University of Alberta, and others.

**And we have some confidence that we can find that path and determine priorities for our work because of the motivated libraries that have indicated they would be early adopters of a digitize and lend solution. All of them are represented at the Forum and ready to work alongside their colleagues to arrive at a shared way forward.**

**Wendy Hanamura**

**Let me invite Wendy back to the podium to explain what will happen next in the program.**

**WENDY: Fast forward 6 years from now, when 4 million books are now accessible online forever, for free--and this vital part of our cultural heritage is preserved...What tangible outcomes will we see?**

**Fast forward 6 years from now, when 4 million books are now accessible online forever, for free--and this vital part of our cultural heritage is preserved...What tangible outcomes will we see?**

Photo of small, cloth-bound book

**Here's one humble example. Take a look at this eBook in our collection, "Gardening in Southern California."**

Photo of that book's circulation record

**At the UC Berkeley Library it was checked out 3 times from 1934 to 1985.**

Screen shot of that book online

**Since we digitized it in 2005, 1346 people have viewed it. A new generation found value in these chapters about pansies and roses and dahlias. We were able to unlock the value between the covers of this 1918 book. Magnify that impact across 4 million of the most important books--available in thousands of libraries, not just ours.**

Photo of a man

**And what does this mean for people? Meet John Szabo. He runs the 73 branches of the Los Angeles Public Library. Serving 1.2 million library card holders, including every public school student in LA.**

More equitable access to patrons

**John told us that this project will provide his patrons with more equitable access to knowledge. Working people could access books after-hours.**



More people-oriented space

**In his prime downtown location, a lot of space is devoted to closed stacks. He could make it more people-oriented space.**

Save money

**And LA Public Library would save money they now spend shipping items between branches every day. .**

Photo of man of native-american ancestry.

**And what about Wikimedia Editors such as Michael Connolly Miskwish? He's working with his Kumeyaay Tribe to re-write historical accounts to include Native American perspectives.**

**At this edit-a-thon at the San Diego Public Library, only a few of his people's histories were available.**

Screen shots of Wikipedia pages

**Having more diverse books online would allow Wikipedia editors to tell a more culturally accurate story. It will allow readers to click through citations to the books themselves. Ultimately, it allows editors like Miskwish to change this Wikipedia Gold Rush article with its illustration of murderous Indians....  
....to one on the "Impact on Native Americans."**

Photo of man

**Another beneficiary? Meet Josh Miele. He's a blind scientist and educator who builds new technologies that make information accessible. But those works must first be digital. We can make millions of scholarly works more accessible to print disabled researchers like Josh.**

Photo of Woman

**And let's not forget about publishers. Like Houghton Mifflin's Archivist, Susan Steinway. Thanks to her, the venerable Boston publishing house is working with Boston Public Library to digitize and lend its back catalog stretching back to 1865.**

**The Internet Archive will digitize Houghton-Mifflin volumes by some of the 20th's Century's best minds and lend them via Open Library--one eBook at a time.**

Quote from Susan Steinway

**".... accessibility to all published literature is possible while still protecting the rights of authors, illustrators, designers and publishers."**

**Their MOU reaffirms their conviction that it is possible to build a "modern digital library system" in which "accessibility to all published literature is possible while still protecting the rights of authors, illustrators, designers and publishers."**

Photo of young girl of Hispanic heritage

**But for me, no one looms larger than Eileen Alfaro. She's the Internet Archive's rising star--a SF 5th grader whose mother Roxana works with us. So Eileen does here homework at our offices every day.**

**I organized a Summer Reading Club just for her. So I know that Eileen loves to read, in fact, her favorite books is Esperanza Rising, the story of a young Latina in Early California. Eileen told me she looks for books that feature Latinas like herself in the library, but often she can't find them We have a chance to expand her collection--and her horizons--by putting millions of great, diverse books under her arm.**

Composite Photo of all previous personages

**So who benefits? The Librarian. The Wikipedia editor. The Scientist. The Publisher. The public school student. Learners everywhere are better off when we can provide 4 million free digital books to libraries and learners.**

Librarians:

**Provide 4M eBooks to your patrons**

**What can you do?**

**If you are a librarian-- join us as a partner and bring millions of ebooks to your patrons.**

Publishers:

**Let us digitize your backlist**

**If you are a PUBLISHER: digitize your backlist with us for lending**

ILS Vendors:

**Integrate 4M eBooks into OPACs**

**If you are an ILS vendor-- integrate our 4M ebooks into every library's OPAC**

Writers & Editors:

**Link your footnotes to eBooks**

**If you are a Educator or Wikipedia Editor: Link your footnotes and citations directly back to these eBooks**

Readers:

**Suggest important books to you**

**And, If you are a reader-- suggest the books most important to you.**

Logos of DLF and DPLA

**It's going to take all of us working together-- to curate the right books. A more inclusive, diverse set of books. That's what's our partners at DLF, DPLA and ALA's Office of Intellectual Freedom will be doing with us. ALA's Our Voices-- Chicago project will be seeking our publishers and authors of diverse literature, which we will buy as part of our collaborative collection.**

Logos or MIT Press, Boston Public Library, and Houghton Mifflin Harcourt  
And we want to be working with you publishers on this project, too. MIT Press is the first University publisher to sign up to allow us to digitize and lend its back list books. And Boston Public Library and HMH created their groundbreaking partnership to scan their backlist books right in our Boston Public Library digitization center.

119,000 libraries: A Giant Step Forward

But most of all it's going to take you. We can only scale if some of the 119,000 libraries out there--all of you--join us. I think the time is right to take a giant step forward. And thanks to the MacArthur Foundation, we took a big step to think big.

BREWSTER:

At the Internet Archive, we are building the technology. We understand the policies. We are calling for partners who will help curate and source the best collections. And the leaders bold enough to push into new territory. Above all, we have the passion to get this done. What's at stake? Free, long-term, public access to knowledge.